

CITY OF NEWPORT

ORDINANCE NO. 2090

AN ORDINANCE RE-ADOPTING THE PROVISIONS
OF ORDINANCE NO. 1992
THAT WERE INADVERTENTLY OMITTED FROM THE
COPY OF ORDINANCE NO. 2037
WHICH WAS ADOPTED ON JUNE 4, 2012

Summary of Findings:

1. The City of Newport adopted Ordinance No. 1992, amending various sections of the Newport Zoning Ordinance (No. 1308, as amended), and sign code provisions contained in the Newport Municipal Code, Section 10.10.140, on November 2, 2009, with an effective date of January 1, 2010.
2. After the adoption of Ordinance No. 1992, the Municipal Code was not amended to reflect the provisions of this ordinance.
3. On June 4, 2012, the City Council adopted Ordinance No. 2037 making changes to Chapter 10.10 of the Newport Municipal Code. These changes were based on the previous, and unchanged by Ordinance No. 1992, language in Chapter 10.10 of the Newport Municipal Code.
4. Subsequently, the City Council adopted Ordinance No. 2075, on January 5, 2015, again based on provisions of the Newport Municipal Code that were not revised as a result of the adoption of Ordinance No. 1992.
5. The City Council of the City of Newport wishes to correct this housekeeping error by re-adopting the provisions of Ordinance No. 1992, in this Ordinance No. 2090.
6. Adoption of Ordinance No. 2090 will also replace the current Chapter 10.10.140 of the Newport Municipal Code with the attached Exhibit A.

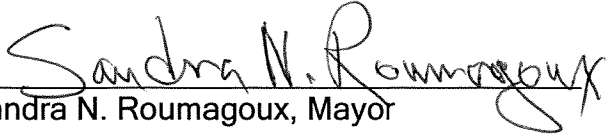
THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Section 10.10.140, of the Newport Municipal Code, is hereby amended by the provisions in Exhibit A to this Ordinance No. 2090.

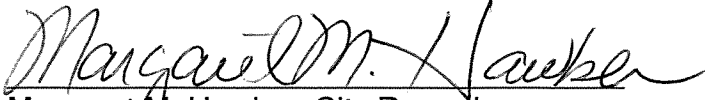
Section 2. This Ordinance shall take effect 30 days after its adoption.

Date adopted and read by title only: January 19, 2016

Signed by the Mayor on January 20, 2016.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder


Steven E. Rich, City Attorney

EXHIBIT A

10.10.140 Sign Adjustment and Variance Requirements.

- A. Purpose. Adjustments and Variances to the numerical standards of the sign code are intended to allow flexibility while still fulfilling the purpose of the Code.
- B. Procedure.
1. Any person may seek an Adjustment or Variance to the numerical provisions of this Chapter or of Chapter 10.15 by filing an application with the Community Development Director or designate on a form prescribed for that purpose. Upon receipt of an application, the Director or designee shall determine if the request shall be processed as an Adjustment or as a Variance according to the procedure provided in Section 14.33.030 of the Zoning Ordinance.
 2. The fee shall be the same as for a zoning Adjustment or Variance. No Adjustment or Variance shall be permitted that would negate the provisions of NMC Section 10.10.045, Prohibited Signs.
 3. In addition to the application submittal requirements of Section 14.33.040 of the Zoning Ordinance, the applicant must provide an inventory of all signs including the location, type, and size of each sign on the property.
 4. Approval criteria in (C) below are to be used when evaluating applications for Adjustments or Variances to the sign code, rather than those provided in Section 14.33.050 of the Zoning Ordinance.
- C. Criteria. The approval authority must find that the application for an Adjustment or Variance complies with the following criteria:
1. The Adjustment or Variance is consistent with the purposes of the sign code, as provided in Chapter 10.10.010 or 10.15.005 of the Newport Municipal Code, as applicable; and
 2. The Adjustment or Variance will allow for placement of a sign with exceptional design, style, or circumstance, or will allow a sign that is more consistent with the architecture and development of the site; and
 3. The Adjustment or Variance will not significantly increase or lead to street level sign clutter, or will it create a traffic or safety hazard.